

COMMISSIONERS APPROVAL

CHILCOTT *g*

LUND *BL*

THOMPSON *at*

TAYLOR (Clerk & Recorder)

Date.....June 27, 2006

Members Present.....Commissioner Greg Chilcott,
Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Sally Fortino and Glenda Wiles

The Board met on a Request for Commission Action on the Summerdale Orchards Block 4, Lot 23 – A, Subdivision. Minutes of that meeting are as follows:

Ravalli County Board of County Commissioners (BCC)

Meeting Minutes for June 27, 2006

9:00 a.m.

Commissioners Meeting Room, 215 S. 4th Street, Hamilton, Montana

1. Call to order

Commissioner Chilcott called the meeting to order at 9:05 AM.

2. BCC and Staff

(A) BCC

Greg Chilcott (Present)
Alan Thompson (Present)
Betty Lund (Present)

(B) Staff

Tristan Riddell

3. Public Meeting

(A) Summerdale Orchards, Block 4, Lot 23-A (Piscopo)

(i) Board action on the Subdivision Proposal

(a) Board Decision

Commissioner Thompson made a motion that the Summerdale Orchards, Block 4, Lot 23-A, AP Minor Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report as amended, and subject to the conditions in the staff report with the following amendments:

1. Remove Condition 4
2. Condition 5 shall state that the applicant shall provide a letter from the Corvallis Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallons per lot water storage for fire protection for each lot within this subdivision. Alternatively, the applicant may provide evidence of a \$500 contribution for lot 23-A2 made to the Corvallis Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection.

Commissioner Lund seconded the motion and the Commissioners voted 3-0 to **approve** the proposal.

The Board of County Commissioners met for discussion and possible decision on the Spang Agricultural Covenant violation. Also present at this meeting were James McCubbin, Deputy County Attorney; Karen Hughes, Planning Department; and David Ohnstad, Road Department.

The Spang property is under contract to be sold.

James said this meeting is in regard to the violation of a valid agricultural covenant. The County has sent two letters of violation notification. He asked if the Commissioners wish to take further action at this point.

Karen said Mr. Gillespie came in to the Planning Office after he received the first letter.

Commissioner Chilcott said the real estate agent was well aware of the Commissioners' concern. David said storage trailers and a number of cars are still on the property.

Commissioner Chilcott stated it is important that the county follow the proper notice and process for this violation.

Commissioner Lund noted the letter of May 12, 2006 gives a two week deadline. Karen indicated it has been difficult to stay on schedule because some of the principal players have been out of the office.

James asked the Commissioners if they would like him to move forward with a complaint, sending a courtesy copy of the complaint, and warning to the responsible party that a failure to settle the issue could result in a lawsuit being filed.

Karen explained that Robert Spang is the owner of record, as of May 12, 2006. She added that she received a call from Larry Gillespie, asking that future correspondence be sent to his attorney, Ray Tipp.

Commissioner Chilcott suggested drafting a letter with a courtesy copy of the complaint; include a time frame for an expected response. If nothing is forthcoming within that time frame, the County will go forward with a lawsuit. Commissioner Lund concurred.

James indicated that it would require an estimated three weeks before he could move forward on the issue. He will need support from the Planning Department, such as photos from the highway and the county gravel pit property. There is also some additional research required. James said he would then initiate litigation, if necessary.

Commissioner Chilcott disclosed that he grew up with Robert Spang, but has had no business or recent social dealing with him.

In other business Road Supervisor David Ohnstad asked about 'local access only' signs on Meyer Lane for the Smoking Blues festival in July. Someone involved with the festival suggested the signs might be necessary, and was advised to call the Road Supervisor for further information.

James stated Montana Law gives the Commissioners control over county roads and public highways. It as agreed David will send letter to address the situation and copy it to the Commissioners.

In other business, the Board of County Commissioners met for administrative matters as follows:

Bill Rothie of Daly-Leach Memorial Chapel presented a request of \$2,385.00 for indigent burial request for Bill Beecher. Civil Counsel James McCubbin was present. Discussion of the discretionary funds was discussed, in that this amount exceeds the contract amount of \$1,450.00. Discussion included any inventory from the business of Bill's Lock and Key that could be sold to pay the county back some of these funds. James stated the inventory would be part of the estate and part of probate. Bill Rothie stated the widow is very confused and does not think she has any property or funds. It was agreed to contact the Public Administrator Frankie Laible. The Commissioners concurred that if there was any money available when the assets are sold, they would ask to be reimbursed.

Commissioner Thompson made a motion to have the Chairman sign for the final disbursement of monies from the State InterCap Loan program for the remodel of the

Courthouse. Commissioner Chilcott seconded the motion and all voted "aye". Commissioner Lund was not present for this vote.

Commissioner Thompson made a motion to grant a one-year extension for the Sunnyside Orchards #2, Lot 48A, AP Subdivision. Commissioner Lund seconded the motion and all voted "aye".

Commissioner Lund made a motion to approve of the following budget transfers for budget year 2006:

- Resolution No. 1897 which is a budget transfer for airport well and County Attorney security glass
- Resolution No. 1898 which is a budget transfer for family planning lab expenses
- Resolution No. 1899 which is a budget transfer within the Clerk & Recorder's Office
- Resolution No. 1900 which is a budget transfer to pay off bonds in FY 2006
- Resolution No. 1901 which is a budget transfer for the fair fund
- Resolution No. 1902 which is a budget transfer in Justice Court #2

Commissioner Thompson seconded the motion and all voted "aye".

Internal Auditor Klarryse Murphy was present to discuss the issuance of bonds for the RSID Joslyn Bridge. Klarryse did some research on the sale of these bonds; finding issues with five landowners being responsible for \$287,000.00. She stated many security companies had expressed a risk to purchase the bonds. Aaron Rudio of D.A. Davidson was put on conference call to discuss the sale of the bonds for this bridge. Interest rates, length of term, sale ability of the bonds for the number of landowners and amount of bridge cost. Aaron stated the county must be able to levy the monies for the revolving fund, have the revolving fund, and from their perspective they review the security and would be almost impossible to sell these bonds. Therefore, they would not bid on them. The likelihood is (they being one or three that bids), so their opinion is pretty valid. This is a serious matter for county to expose the revolving fund and issue of concern for county to follow state law and obtaining competitive bids, which they will not. He stated he is not making any statement about the financial abilities of the homeowners, but there are not enough homeowners to spread the risk. If there were more homeowners or more RSID's going and spread the risk that would also make a difference.

Discussion also included the possibility of utilizing intercap loans for RSID funding. Aaron thought there might be intercap funds available. Bank loans were also discussed and the ability of the homeowners to take on the debt privately. Most banks will also loan for 10-years which raise the payments and the official statement would be necessary for any bonding company. Aaron will visit with some of the other security purchasers and see if they have any suggestions for bond purchase. He will contact the Commissioners by the end of the day.

The Board also discussed the FY 07 budget and concurred to roll the FY 06 budget as the preliminary budget for FY 07.

In other business the Board continued their training for the National Incident Management System training during the afternoon.

Commissioner Lund attended Dispatch negotiations during the evening hours.

Commissioner Thompson attended a Resource Advisory Committee meeting at the Forest Service building during the evening hours.